



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHRISTOPHER C. BENZ, GARY K.
SCOTT, and CHUAN-HSIUNG CHANG

Application No.: 08/978,217

Filed: November 25, 1997

For: A NEW ETS-RELATED GENE
OVEREXPRESSED IN HUMAN
BREAST AND EPITHELIAL
CANCERS

Examiner: Marian C. Knode

Art Unit: 1642

Assistant Commissioner of Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on June 23, 1999.

Name:

Valerie Owen *6/23/99*
Signature Date

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated March 23, 1999, Applicants respectfully request reconsideration of the above-identified application in view of the following remarks. A petition to extend the period of response for two months is enclosed. For the convenience of the Examiner, a list of the pending claims is attached as Appendix I.

REMARKS

In the Office Action dated In the Office Action dated march 23, 1999, the Examiner required restriction to one of the following groups under 35 U.S.C. §121:

- Group I: Claims 1-15, 71 and 79, drawn to human ESX polynucleotides;
- Group II: Claims 16-27, 71 and 79, drawn to murine ESX polynucleotides;
- Group III: Claims 28-32, 78, and 79, drawn to human ESX polypeptides;

-1-

Serial No: 08/978,217